Development Review Procedures Manual

City of Charlottesville, Virginia

DRAFT

Neighborhood Development Services

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Charlottesville, VA 22902

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1. Introduction

This manual is a companion document to the Charlotteville Development Code, serving as a reference for project developers and the public seeking to understand and navigate the required development review processes. The manual includes details for application submittal requirements and required public notice and engagement consistent with the Code of Virginia state statutes associated with certain development review processes and community expectations.

2. Development Review Application Requirements

2.1 Zoning Amendments

General Requirements

Petitions for Zoning Map Amendments must be made in writing, must be addressed to City Council, and must be filed in the Department of Neighborhood Development Services. Each application must be composed of a completed City-provided application form and supplemental information required in order for the City to review and act on the application. At a minimum, a complete application must include:

1. Verification of the applicant's attendance at a pre-application meeting with a City planner, at which the applicant was provided a list of the application materials, including required supplemental information, required for an application;
2. A City-provided application form, signed by the owner of the property. Alternatively, the application form may be signed by the owner's authorized representative, if the application form is accompanied by the owner's written authorization;
3. Written certification of evidence that any delinquent real estate taxes owed to the locality have been paid;
4. The required application fee, as set forth within the most recent fee schedule adopted by City Council;
5. All information required by any provision of the Development Code and any other applicable city ordinances, or state law, including the following:
    a. A Site Plan when required by *Sec. 5.2.9. Development Review*.
    b. A written disclosure of the information required by *Sec. 5.2.1.C.2. Disclosure of Real Parties in Interest* of the Development Code and, if the applicant is not the owner of the property, written evidence of their status as either the authorized agent of the property owner, or a contract purchaser of the property whose application is with the permission of the property owner;
    c. For developments including any non-residential uses, and developments proposing the construction of 3 or more single- or two-family dwellings, the applicant must provide a completed low-impact development ("LID") methods worksheet;
    d. For applications proposing the alteration of the footprint or height of an existing building, or the construction of 1 or more new buildings:
        i. Building massing diagram
        ii. Elevations

e. Information and data identifying how many, if any, existing dwelling units on the development site meet the city's definition of an "affordable dwelling unit" and whether any such existing units, or equivalent affordable units, will remain following the development; and

f. Other supporting data sufficient to demonstrate compliance with the purposes and standards of the Development Code, including, without limitation, graphic materials that illustrate the context of the project as well as information and data addressing the criteria for review and decision set forth within *Sec. 5.2.5. Zoning Map Amendments*.

6. All required supplemental information.

Supplemental Information

For each application for a Zoning Map Amendment, the Director may require supplemental information to be submitted along with the application. In determining what supplemental information must be submitted, the Director will consider the proposed use, the proposed density, the proposed zoning district classification, and other considerations the director determines to be relevant according to sound zoning practices. Required supplemental information may consist of any or all of the following:

1. **Project proposal narrative.** Consisting of a detailed written statement of the proposal, its public need or benefit, and of how the project satisfies the purpose, intent or objectives of the applicable zoning district classification.

2. **Comprehensive plan analysis.** Consisting of a detailed written statement of the project's consistency with the comprehensive plan, including the land use map and any small area, strategic investment area or other plan for the applicable development area.

3. **Impacts on public facilities and infrastructure.** A detailed narrative statement detailing the project's impacts on public facilities and infrastructure, including, without limitation: sidewalks and other pedestrian facilities; bicycle, public transit and motor vehicle transportation facilities; storm sewers; existing platted rights-of-way which have not previously been improved or accepted by the City for maintenance, etc.

4. **Maps.** 1 or more maps showing the proposed project's neighborhood context, existing natural and human caused conditions, and existing topography. If the proposal is for a Special Use Permit, and the area proposed to be subject to the Special Use Permit is less than an entire lot a map must be provided showing the area proposed to be subject to the Special Use Permit.

5. **Impacts on environmental features.** A narrative of environmental features of the property that would be affected by the project, including, without limitation: trees, existing pervious surfaces, steep slopes, streams, etc. Photographs must be provided of features described in the narrative.

6. **Project concept plan.** For any Zoning Map Amendment to establish a zoning district or seeking approval of a Special Use Permit, a Conceptual Plan may be provided showing, as applicable:

    a. Street network, including circulation within the project and connections to existing and planned streets within and outside the project;

    b. General location of pedestrian and bicycle facilities;

    c. Building envelopes;

    d. Parking envelopes;

e. Public spaces and amenities;

f. Conceptual stormwater management facility locations and types;

g. Conceptual grading;

h. Conceptual landscape plan;

i. Topography, and identification of the source of the topographical information, supplemented where necessary by spot elevations, and identification of areas of the site containing slopes in excess of 25%; and

j. General location of central features or major elements within the project that are essential to the design of the project, such as parking areas and structures, civic areas, open spaces, green spaces, recreation areas and other amenities.

7. **Proposed proffers to address impacts.** Consisting of a written statement of conditions, limitations, restrictions or amenities that the property owner offers as a means of mitigating impacts of a project or enhancing the public benefits of a project.

8. **Other information.** Including, without limitation, special studies or documentation, identified by the Director as being necessary for a full and complete review of the proposed Zoning Map Amendment consistent with good zoning practices.

Conditional Zoning Requirements

All proffered conditions must be submitted in a written format, which must include the following, as applicable:

1. Written statements;
2. Development plans;
3. Profiles;
4. Elevations; and
5. Other demonstrative documents depicting, describing, or otherwise pertaining to a proposed development.

The Director of Neighborhood Development Services may establish specific forms for use by persons who wish to submit proffered conditions, subject to the approval of the City Attorney. Each submission must be accompanied by the required fee, as set forth within the most recent fee schedule adopted by City Council.

2.2 Historic Review

The following information and exhibits must be submitted along with each application for a Certificate of Appropriateness for any project in an Architectural Design Control (-ADC) or Historic Conservation (-HC) overlay district or an Individually Protected Property (-IPP), requiring a Minor or Major Historic Review:

1. Detailed and clear descriptions of any proposed changes in the exterior features of the subject property, including but not limited to the following: the general design, arrangement, texture, materials, plantings and colors to be used, the type of windows, exterior doors, lights, landscaping, parking, signs, and other exterior fixtures and appurtenances. The relationship of the proposed change to surrounding properties will also be shown.

2. Photographs of the subject property and photographs of the buildings on contiguous properties.
3. Samples to show the nature, texture and color of materials proposed.
4. The history of an existing building or structure, if requested by the BAR or staff.
5. At the discretion of the Director of NDS, for new construction and projects proposing expansion of the footprint of an existing building: a three-dimensional model, in digital form, depicting the site, and all buildings and structures to be located thereon, as it will appear upon completion of the work that is the subject of the application.
6. In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates for rehabilitation, prepared by a professional engineer.

2.3 Corridor Review

The following information and exhibits must be submitted along with each application for a Certificate of Appropriateness for any project in the Entrance Corridor (-EC) overlay district, requiring Corridor Review:

1. A complete application shall include all plans, maps, studies, reports, photographs, drawings, building elevations, and other informational materials which may be reasonably required in order to make the determinations called for in a particular case.
2. Each application shall include a landscaping plan, for the uses described following below.
    a. For development subject to Development Review, such plans must meet the requirements set forth in that Section.
    b. For other applications, the landscaping plan shall consist of drawings, documents and information sufficient to allow the director to determine whether the applicable standards are met from the Development Code.
3. Each application must include information about proposed lighting. Lighting fixtures shall be harmonious with the character of existing and proposed structures fronting along the EC street, and must not exceed the height of any buildings on the site. Further, lighting must comply with the Outdoor Lighting requirements of the Development Code.

2.4 Development Review

Development Plan Requirements

The following information and exhibits must be submitted along with each application requiring a Development Plan:

1. **Format of drawings.** 16 clearly legible blue or black line copies of a Development Plan must be submitted along with an application for approval. In addition, a three-dimensional drawing or model of the proposed site and the surrounding areas showing massing in context shall be submitted along with any Development Plan that is to be reviewed by the Planning Commission. If revisions to the submitted Development Plan are necessary, then 16 full-sized revised copies, and, if the Development Plan is to be reviewed by the Planning Commission, an additional 10 revised copies must be submitted by the revision deadline.
2. **Waivers, variations, and substitution requests.** All waiver, variation and substitution requests must be submitted with the Development Plan, and the applicant must clearly state the specific items being requested for waiver, variation or substitution.

3. **Drawing scale.** The Development Plan must be prepared to the scale of 1inch equals 20 feet or larger, or to such a scale as may be approved by the agent in a particular case.

4. **Required information.** The Development Plan must contain the following information:

    a. The name of the development; names of the owners, developers and individuals who prepared the plan; tax map and parcel number; zoning district classification(s); descriptions of all variances, zoning proffers and bonus factors applicable to the site; description of affordable dwelling unit requirements applicable to the subject property; city and state; north point; scale; 1datum reference for elevation (where a flood hazard overlay district is involved, U.S. Geological Survey vertical datum shall be shown or correlated to plan topography); source of the topography; source of the survey; sheet number and total number of sheets; date of drawing; date and description of latest revision; zoning district, tax map and parcel number, and present use, of each adjacent parcel; departing lot lines; minimum setback lines, yard and building separation requirements; a vicinity sketch showing the property and its relationship with adjoining streets, subdivisions and other landmarks; and boundary dimensions.

    b. Written schedules or data as necessary to demonstrate that the site can accommodate the proposed use, including: proposed uses and maximum acreage occupied by each use; maximum number of dwelling units by type; gross residential density; square footage of recreation areas; percent and acreage of open space; maximum square footage for non-residential uses; maximum lot coverage; maximum height of all structures; schedule of parking, including maximum amount required and amount provided; maximum amount of impervious cover on the site; and if a landscape plan is required, maximum amount of paved parking and vehicular circulation areas.

    c. If phasing is planned, phase lines and proposed timing of development;

    d. Existing topography for the entire site at maximum five-foot contours; proposed grading (maximum two-foot contours), supplemented where necessary by spot elevations; and sufficient offsite topography to describe prominent and pertinent offsite features and physical characteristics, but in no case less than fifty (50) feet outside of the site unless otherwise approved by the Director. Topographic information submitted with a Development Plan must be in the form of a topographic survey, which shall identify areas of critical slopes, as defined in *Sec. 4.10.1. Critical Slopes*, natural streams, natural drainage areas, and other topographic features of the site;

    e. Existing landscape features as described in *Sec. 4.9.1. Tree Preservation and Replacement* (requirements of landscape plans), including all individual trees of 6-inch caliper or greater;

    f. The name and location of all watercourses, waterways, wetlands and other bodies of water adjacent to or on the site;

    g. One hundred-year flood plain limits, as shown on the official flood insurance maps for the City of Charlottesville, as well as the limits of all floodway areas and base flood elevation data required by *Sec. 2.9.1. Flood Hazard Protection District*;

    h. Existing and proposed streets, access easements, alley easements and rights-of-way, and other vehicular travelways, together with street names, highway route numbers, right-of-way lines and widths, centerline radii, and pavement widths;

i. Location and size of drainage channels, and existing and proposed drainage easements; and a stormwater management concept detailing how the applicant will achieve adequate drainage post-development, including a description of the specific design concept the applicant plans to apply. References to specific types of stormwater management facilities, specific treatments, BMPs, LID techniques, etc. must be provided, The stormwater management concept must be prepared by a professional engineer or landscape architect, as those terms are defined within Virginia Code § 54.1-400, and must describe the manner in which stormwater runoff from the project will be controlled in order to minimize the damage to neighboring properties and receiving streams, and prevent the discharge of pollutants into surface waters, in accordance with the requirements of City Code Chapter 10;

j. Location and size of existing water, sanitary and storm sewer facilities and easements, and proposed conceptual layout for water and sanitary sewer facilities and public storm sewer facilities;

k. Location of other existing and proposed utilities and utility easements;

l. Location of existing and proposed ingress to and egress from the property, showing the distance to the centerline of the nearest existing street intersection;

m. Location and dimensions of all existing and proposed improvements, including: buildings (maximum footprint and height) and other structures (principal as well as accessory); walkways; fences; walls; trash containers; outdoor lighting; landscaped areas and open space; recreational areas and facilities; parking lots and other paved areas; loading and service areas, together with the proposed paving material types for all walks, parking lots and driveways;

n. All areas intended to be dedicated or reserved for public use;

o. Landscape plan, in accordance with Corridor Review drawing requirements, if the Development Plan is subject to Corridor Review.

p. Where deemed appropriate by the director due to intensity of development, estimated traffic generation figures for the site based upon current VDOT rates, indicating the estimated vehicles per day and the direction of travel for all connections to a public road.

The Director or Planning Commission may require additional information to be shown on the Development Plan as deemed necessary in order to provide sufficient information for the Director or Planning Commission to adequately review the Development Plan.

Final Site Plan Requirements

The following information and exhibits must be submitted along with each application requiring a Final Site Plan:

1. **Plan preparation.** A Final Site plan, together with any amendments thereto, must be prepared and sealed, signed and dated by an architect, professional engineer, land surveyor or certified landscape architect licensed to practice within the Commonwealth of Virginia.

2. **Format of drawings.** 10 clearly legible blue or black line copies of the master drawing must be submitted to the Department of Neighborhood Development Services, along with an application for approval of the Final Site Plan. No sheet can exceed 36 inches by 42 inches in size. The Final Site Plan may be prepared on 1 or more sheets. If prepared on more than 1 sheet, match lines

shall clearly indicate where the sheets join. The top of the sheet shall be approximately either North or East. If review is required by the Planning Commission, then the applicant must also provide 1 reduced copy of the Final Site Plan, no larger than 11 inches by 17 inches in size.

3. **Drawing scale.** The Final Site Plan must be prepared to the scale of 1inch equals 20 feet or larger, or to such a scale as may be approved by the agent in a particular case.

4. **Required information.** The Final Site Plan must reflect conditions of approval of the Development Plan, and must meet all requirements set forth within Code of Virginia § 15.2-2240 et seq. In addition, the Final Site Plan must contain the following information:

    a. The location, character, size, height and orientation of proposed signs, as proposed to be installed or erected in accordance with *Div. 4.11. Signs*; and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this Section will be considered a part of the approved Final Site Plan. Thereafter, signs will not be installed, erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved Final Site Plan. Any changes in signs from the approved Final Site Plan or any additions to the number of signs as shown on the Final Site Plan will be allowed only after amendment of the Final Site Plan by the Director of Neighborhood Development Services or the Planning Commission;

    b. Specific written schedules or notes as necessary to demonstrate that the requirements of the Development Code are being satisfied;

    c. Indicate if residential units are sale or rental units; number of bedrooms per unit; and number of units per building if multifamily; specifications for recreational facilities; and reference to the specific deeds, agreements or other evidence of the property owner's binding obligation to provide affordable dwelling units applicable to the subject property;

    d. Proposed grading: maximum two-foot contours;

    e. Detailed plans for proposed water and sanitary sewer facilities, including: all pipe sizes, types and grades; proposed connections to existing or proposed systems; location and dimensions of proposed easements and whether such easements are to be publicly or privately maintained; profiles and cross sections of all water and sewer lines including clearance where lines cross; all water main locations and sizes; valves and fire hydrant locations; all sanitary sewer appurtenances by type and number; the station on the plan to conform to the station shown on the profile, and indicate the top and invert elevation of each structure;

    f. Detailed stormwater management plans, and construction drainage and grading plans, showing:

        i. Profiles of all ditches and channels, whether proposed or existing, with existing and proposed grades; invert of ditches, cross pipes or utilities; typical channel cross sections for new construction; and actual cross sections for existing channels intended to remain;

        ii. Profiles of all storm drainage systems showing existing and proposed grades;

        iii. Plan view of all drainage systems with all structures, pipes and channels numbered or lettered on the plan and profile views. Show sufficient dimensions and bench marks to allow field stake out of all proposed work from the boundary lines;

iv. Drainage summary table for culverts, storm drainage facilities and channels;

v. A legend showing all symbols and abbreviations used on the plan;

vi. Information, details, calculations, construction plans and other documents or data required by Chapter 10 for a final stormwater management plan must be included, along with such other information, plans, calculations, and details sufficient to demonstrate compliance with the standards for drainage set forth within Chapter 10 and the Standards and Design Manual;

vii. Information, details, calculations, plans and other documents or data required by Chapter 10 for an erosion and sediment control plan;

g. Typical street sections together with specific street sections where street cut or fill is 5 feet or greater; centerline curve data; radius of curb returns or edge of pavement; location, type and size of proposed ingress to and egress from the site; together with culvert size; symmetrical transition of pavement at intersection with existing street; the edge of street surface or face of curb for full-length of proposed street; when proposed streets intersect with or adjoin existing streets or travel-ways, both edges of existing pavement or travelway together with curb and gutter indicated for a minimum of 100 feet or the length of connection, whichever is the greater distance;

h. For all parking and loading areas, indicate: size, angle of stalls; width of aisles and specific number of spaces required and provided, and method of computation, indicating type of surfacing for all paved or gravel areas;

i. A final landscape plan;

j. Signature panel for the preparer; and

k. Signature panels for the director and the city engineer.

2.5 Special Use Permits

The procedure for filing and consideration of an application for a special use permit is the same as that required for an owner-initiated petition for a Zoning Map Amendment, except that a complete application for a Special Use Permit must also include:

1. A Site Plan when required by *Sec. 5.2.9. Development Review*.
2. A written disclosure of the information required by *Sec. 5.2.1.C.2. Disclosure of Real Parties in Interest* of the Development Code and, if the applicant is not the owner of the property, written evidence of their status as either the authorized agent of the property owner, or a contract purchaser of the property whose application is with the permission of the property owner;
3. For developments including any non-residential uses, and developments proposing the construction of 3 or more single- or two-family dwellings, the applicant must provide a completed low-impact development ("LID") methods worksheet;
4. For applications proposing the alteration of the footprint or height of an existing building, or the construction of 1 or more new buildings:
    a. Building massing diagram
    b. Elevations

5. Information and data identifying how many, if any, existing dwelling units on the development site meet the city's definition of an "affordable dwelling unit" and whether any such existing units, or equivalent affordable units, will remain following the development; and

6. Other supporting data sufficient to demonstrate compliance with the purposes and standards of the Development Code, including, without limitation, graphic materials that illustrate the context of the project as well as information and data addressing the criteria for review and decision set forth within *Sec. 5.2.14. Special Use Permits*.

It is the responsibility of the applicant for a Special Use Permit to provide information and data addressing the factors referenced in this Section.

2.6 Temporary Use Permits

General Requirements

As part of the application for a temporary use permit, an applicant shall provide a written plan containing, at a minimum, the following information:

1. Site diagram showing the following:
    a. Boundaries of the subject site;
    b. Tax map and parcel numbers for the subject site and adjacent property owners;
    c. Name of the owner of the subject property, and the name(s) of all adjacent property owners;
    d. Zoning district classifications of the subject site and each adjacent property; and
    e. Layout of the structures, parking and other pertinent features of the proposed temporary use.
2. Written permission of the owner of the subject property (if different than the applicant) authorizing the applicant to use the subject property for the temporary use.
3. Proof that the applicant or owner of the subject property have obtained, or will obtain, all licenses, permits and other governmental approvals required by any federal, state or local laws or regulations, required for or in connection with the proposed temporary use.
4. Other information deemed necessary by the zoning administrator in order to evaluate the application.

Bond Requirements

1. The Zoning Administrator may require a bond or other suitable guarantee sufficient to ensure the following:
    a. That signs, trash, temporary structures and debris will be removed from the site and from the immediate vicinity of the site;
    b. That the activity will not remain for longer than a temporary period; and
    c. Compliance with applicable provisions of City Ordinances.
2. Such bond or guarantee will be more than $100,000.00, depending on the nature and extent of the proposed use.

3. The bond or other guarantee will be forfeited to the City if the site is not adequately cleared of all trash, debris, signs and temporary structures.
4. The bond or guarantee will be forfeited to the City if the activity remains on the site after expiration of the permit.
5. The bond will be forfeited to the City if violations of any applicable city ordinances are established.

3. Subdivision Review Application Requirements

3.1 General Plat Requirements

All plats required for Subdivision Review must comply with the following requirements:

1. **State standards.** Every plat must meet the standard for plats promulgated by the Virginia Library Board pursuant to Va. Code § 42.1-82 of the Virginia Public Records Act, as such standards are set forth within the Virginia Administrative Code. A copy of these standards will be kept on file within the Department of Neighborhood Development Services. Document size must be between 8.5 inches by 11 inches and 18 inches by 24 inches, or 8.5 inches by 14 inches, the maximum size accepted by the Charlottesville Circuit Court Clerk's Office.
2. **State professional standards.** Every plat must meet the minimum standards and procedures for land boundary surveying practice, including minimum field procedures and office procedures, as set forth within the Virginia Administrative Code. A copy of such standards and procedures will be kept on file within the Department of Neighborhood Development Services.
3. **Name of plat preparer.** Every plat must contain the name and signature of the person who prepared the plat, who must be either a certified professional engineer or land surveyor.
4. **General information.** Every plat must contain the following information:
    a. Date of drawing, including the date of the last revision;
    b. Number of sheets;
    c. North point;
    d. Signature panels for the Secretary and Chair of the Planning Commission (if applicable);
    e. Scale; and
    f. If true north is used, the method of determination must be shown.
5. **Name of subdivision.** Every plat must contain the name or title under which the subdivision is proposed to be recorded in the City's land records. The title must not duplicate or be a homonym of an existing or reserved subdivision name within the City or the County of Albemarle, except if the subdivision is an extension of an existing subdivision.
6. **Instrument creating property proposed for subdivision.** The engineer or land surveyor who prepared the plat must endorse upon the plat a certificate signed by them setting forth the source of title of the owner of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts must be indicated upon the plat. The plat must also identify the deed book and page number of any previously recorded subdivision plat applicable to the subject property, or any portion thereof.

7. **Identification of all owners and certain interest holders; statement of consent.** Each plat must contain the names and addresses of each owner of record of any land that is the subject of the proposed plat, and of the holders of any easements affecting the land that is the subject of the plat. Every plat, or deed of dedication to which a plat is attached, must contain a statement as follows: "The platting or dedication of the following described land [insert a correct description of the land subdivided] is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any." The statement must be signed and duly acknowledged before an officer authorized to take acknowledgment of deeds.

8. **Vicinity map.** Each plat must contain a vicinity map showing the property and its relationship with adjoining land and streets, its relationship with landmarks in the area and, if the subdivision is a phased subdivision, all other phases of the subdivision for which a final plat has been approved, in detail adequate to describe the location of the property without field review.

9. **Existing or platted streets.** Each plat must specifically identify the location, width, grades and drainage of all existing streets and the location and widths of previously-platted rights-of-way.

10. **Alleys, shared driveways, and private streets.** Each plat must identify the location and dimensions of all easements for alleys, shared driveways and private streets. Easements shown for private streets, alleys and shared driveways must be labeled as "private street easement," "alley easement" or "shared driveway easement," as may be applicable.

11. **Land to be dedicated in fee or reserved.** Each plat must identify the location, acreage, and current owners of all land intended to be dedicated for public use, and the location, acreage and current owners of all land to be reserved in a deed for the common use of lot owners in the subdivision. All land intended to be dedicated for public use must be identified and set forth on the plat as required by *Div. 6.6. Fees and Dedication*.

12. **Public easements.** Each plat must identify the specific location and dimensions of all existing and proposed public easements and improvements situated outside of a public street right-of-way, including, without limitation, easements for water, sewer and gas lines and related improvements, sidewalk and other pedestrian easements; sight distance easements; and easements for drainage and stormwater management facilities. All previously recorded easements must be labeled with the deed book and page number of the recorded instrument by which such easements were created. Proposed dedications of public easements must be labeled as to the type of easement, and must be identified and set forth on the plat.

13. **Proposed private easements and facilities.** Each plat must identify the specific location and dimensions of existing and proposed non-public easements, including, without limitation: stormwater management facilities and related improvements; drainage easements; privately owned and maintained sidewalks; common or shared easements to public service corporations furnishing cable television, gas utilities, telephone and electric service to the proposed subdivision and to franchised cable television operators furnishing cable television services; and other private easements. Where easements are not parallel to lot lines, bearing and distance measurements are required. An existing easement must be labeled with the deed book and page number of the recorded instrument by which such easement was created. Proposed easements must be labeled as to the nature and type of easement. All final plats containing any proposed common or shared easements must expressly reference a declaration of the terms and conditions of such easements recorded with the subdivision plat in the City's land records.

14. **Existing and departing lot lines.** Each plat proposing a subdivision of more than one existing lot must show existing lots and their outlines, which must be indicated by dashed lines, and the location of departing lot lines of abutting lots.

15. **Proposed lots.** Each plat must show the number, approximate dimensions, and area of each proposed lot.

16. **Building sites on proposed lots.** Each plat must show the location, area and dimensions of a building site on each proposed lot, complying with the requirements of the Subdivision Code as well as the regulations of the zoning district in which such lot is situated. The plat must also contain the preparer's certification that "Each parcel [letter or number] created by this subdivision plat contain a building site that complies with the requirements of the City of Charlottesville's Zoning, Water Protection and Subdivision Ordinances."

17. **Floodplain and floodway limits.** Each plat must provide floodplain limits, elevations, and flood plain profiles and cross-sections, and shall provide the same information for the floodway.

18. **Drainage district.** When any part of the land proposed for subdivision lies within a drainage district such fact must be set forth on the plat.

19. **Places of burial.** When any grave, object or structure marking a place of burial is located on the land proposed for subdivision, such grave, object or structure must be identified on the plat.

20. **Control points.** At least 4 control points, evenly distributed across the property and located at survey property corners, must be shown on each sheet depicting the property. These points must be sub-centimeter accurate and meet the definition of control point. One of the four points must be a bench mark showing elevation and horizontal coordinates related to the city's GPS base station. The point must be located in the field in concrete with a brass disk provided by the Engineering Department.

21. **Public areas, facilities or uses.** The location of all areas shown in the Comprehensive Plan as proposed sites for public areas, facilities or uses, as described in Va. Code § 15.2-2232, which are located wholly or in part within the boundaries of the property that is the subject of the proposed plat.

22. **Zoning classification.** The zoning classification of the property, including all applicable zoning overlay districts, proffers, special use permits and variances.

23. **Tax map and parcel number; street address.** The current city tax map and parcel number of the property, and the street address.

24. **Stream buffers.** The location of stream buffers required by the city's water protection ordinance, with the following note: "The stream buffer(s) shown hereon shall be maintained in accordance with Chapter 10 of the City Code, the City of Charlottesville's Water Protection Ordinance."

25. **Boundary lines.** The exterior boundary lines of the property must be shown with bearings in degrees, minutes and seconds.

26. **Monuments.** The location and material of all permanent reference monuments shall be identified. Acceptable material for monuments is specified in the Standards and Design Manual. Monuments found or installed prior to plat recordation may be referred to if they are permanent and undisturbed. If any monument required by this chapter will be installed after recordation of the final plat, the certification of the professional engineer or land surveyor shall so note.

27. **Bearing and distance ties.** A definite bearing and distance tie between not less than 2 permanent monuments on the exterior boundary of the property and further tie to existing street intersection or nearby benchmark, at the discretion of the agent.

28. **Identification of sections, blocks and lots.** Sections (phases) shall be identified by numbers; blocks must be identified by letters; lots must be identified by numbers, assigned in numerical or alphabetical order, as appropriate.

29. **Acreage and square footage of lots.** The total acreage and square footage of each existing lot and each proposed lot.

30. **Ownership of common areas.** The intended ownership of all common areas with reference to a declaration of the rights and responsibilities of such owner with respect to the common areas, to be recorded along with the final plat.

31. **Street names.** The name of each proposed street.

32. **Temporary turnarounds.** The location of temporary turnarounds, if needed, with the following accompanying note: "The area on this plat designated as a temporary turnaround will be constructed and used as other streets in the subdivision until (street name) is/are extended to (street name), at which time the land in the temporary turnaround area will be abandoned for street purposes and will revert to adjoining property owners in accordance with specific provisions in their respective deeds."

33. **Statement pertaining to private alleys, driveways and streets.** If alleys or shared driveways are shown, a note must be added to the plat stating that maintenance shall be by the owners of the lots benefited by the alley or shared driveway, not by the city. If the subdivision will contain one or more private streets, the following statement is required: "The streets in this subdivision are not accepted into the city's street system and will not be maintained by the City of Charlottesville." Grantors of any subdivision lots to which this statement applies must include the statement on each deed of conveyance.

34. **Restrictions.** Restrictions imposed in conjunction with the approval of the preliminary plat, and their period of existence, must be noted on the plat, including, without limitation: sidewalk maintenance agreements; stormwater/BMP facilities maintenance agreements, affordable dwelling unit, etc. If the length of the wording necessary to describe a particular restriction makes its inclusion on the final plat impractical, and if the nature of the restriction does not necessitate the preparation of a separate instrument for recordation with the plat, then a summary reference must be made to the restriction on the final plat.

35. **Terms of public easements.** All plats containing easements dedicated to the public must expressly reference a declaration of the terms and conditions of such public easements to be recorded with the subdivision plat in the city's land records.

36. **Topography.** A topographic map derived from aerial topographic surveys or, where required by the director of public works, from actual field surveys, with a contour interval of 5 feet referred to city data, showing the boundary lines of the tract to be subdivided.

37. **Building setback lines.** Building setback lines must be referenced on the plat.

38. **Critical slopes.** Critical slopes as defined under *Sec. 4.10.1. Critical Slopes* must be referenced on the plat.

3.2 Preliminary Plat Requirements

The following documents and information must be submitted along with each preliminary plat, or, if none, with each final plat:

1. **Request for critical slopes waiver.** If the need for a waiver is known at the time of submission, the subdivider must submit a written request and justification for any requested waiver authorizing the disturbance of critical slopes. The applicant must provide information, drawings and narrative details, addressing how the layout and location of proposed streets, utilities, stormwater management facilities, etc. will minimize the disturbance of critical slopes and natural drainage areas.

2. **Stormwater management information.** Topographic information submitted with a preliminary plat must be in the form of a topographic survey, which shall identify areas of critical slopes, natural streams, natural drainage areas, and other topographic features of the site. The applicant must provide a stormwater management concept detailing how the applicant will achieve adequate drainage post-development, including a description of the specific design concept the applicant plans to apply. References to specific types of stormwater management facilities, specific treatments, BMPs, LID techniques, etc. must be provided. The stormwater management concept must be prepared by a professional engineer or landscape architect, as those terms are defined in Code of Virginia § 54.1-400, and must describe the manner in which stormwater runoff from the subdivision will be controlled in order to minimize the damage to neighboring properties and receiving streams, and prevent the discharge of pollutants into surface waters, in accordance with the requirements of City Code Chapter 10.

3. **Mitigation plan.** If applicable, a mitigation plan as provided in the water protection ordinance.

3.3 Final Plat Requirements

In addition to any information required by Preliminary Plat, the following documents or information must be submitted with each final plat:

1. Infrastructure plans and computations in accordance with the Standards and Design Manual. Detailed plans, computations and necessary supporting documents for physical improvements including, but not limited to, traffic studies, street plans and cross sections, soil testing results, gas utilities, sewer and water plans and computations, landscape plans, parking calculations and other requirements of applicable zoning regulations, flooding computations and plans (if applicable), and any other plans, calculations and details deemed necessary by the city engineer in consultation with the director of public works, in order to determine compliance with the development standards set forth within the Subdivision Code. Information, details, calculations, construction plans and other documents or data required by Chapter 10 for a final stormwater management plan and a final erosion and sediment control plan must be included.

2. **Construction plans, public facilities.** Construction plans must be submitted to and approved by the city engineer in consultation with the director of public works for all proposed streets, and for all water, gas, storm and sanitary sewer and other city-owned public utilities or facilities.

3. **Construction plans, utility fixtures and systems.** If the owner of any subdivision desires to construct in, on or under any public streets or alleys located in the subdivision, any gas, electric, cable or other non-city-owned utility works, pipes, wires, fixtures or systems, the owner must present plans and specifications to the city engineer for approval in consultation with the director of public works.

4. **Location of existing buildings.** A survey showing the location of all existing buildings within 50 feet of a proposed lot line or a proposed street.

5. **Building envelope.** A depiction of the building envelope for each lot, in accordance with the requirements of applicable zoning district regulations.

6. **Interests to be vacated in city property.** A plan which shows all rights and interests of the city that would be terminated and extinguished by recordation of the final plat, with reference to the deed book and page number at which the instruments creating such interests are recorded.

7. **Instrument evidencing maintenance of certain improvements.** If the subdivision will contain one or more improvements or facilities serving more than one lot within the subdivision, and that are not to be maintained by the city or any other governmental authority or other public agency, the subdivider must submit with the final plat an instrument assuring the perpetual maintenance of the improvement or facilities, as such instrument will be recorded with the final plat. For each such improvement or facility, the plat must contain the following notation: "No public agency, including the City of Charlottesville, Virginia, will be responsible for maintaining this improvement [or facility]."

8. Required bonds and surety.

9. **Environmental disclosures.** Subdividers must disclose and remediate contamination and other adverse environmental conditions of the property prior to final plat approval. Along with a final subdivision plat, the subdivider must submit a Phase I environmental site assessment based on the anticipated use of the property proposed for the subdivision or development, and if the agent deems it to be reasonably necessary, based on findings in the Phase I assessment, and in accordance with EPA regulations and American Society for Testing and Materials (ASTM) standards, the subdivider must submit a Phase II environmental site assessment. Required assessments must meet generally accepted national standards, such as those established by ASTM. The subdivider must also submit a written plan for remediation of any contamination or conditions noted in the required assessments, and confirmation that such plan has been submitted to state or federal authorities for review and approval. The agent, in its sole discretion, may waive this requirement for minor subdivisions, but this waiver does not exempt the subdivider from any applicable state and federal law requirements.

10. **Instruments evidencing affordable housing requirements.** If the subdivision includes land that is subject to an affordable housing obligation, the subdivider must submit with the final plat the instruments assuring the reservation of land for such obligation, in such format as may be required by the regulations enacted.

4. Public Notice Requirements

4.1 General Notice Requirements

1. Public notice is required for certain procedures by the Code of Virginia § 15.2-2200 et seq. and must follow the requirements for public notice according to the Code of Virginia § 15.2-2204.

2. The City may choose to provide additional notice as a courtesy, but is not required to do so. The fact that a notice is not received due to an error that was not the fault of the City does not prevent the public meeting or hearing from happening, change any decision made at the public meeting or hearing, or prevent the application from continuing to move forward through the review process.

3. This Section outlines the general requirements for public notice and specific requirements for public notice required by some processes. For public notice, meeting, and hearing requirements applicable to each procedure, see Sec. XX, Summary of Review Authority.
4. A certification of notice and a listing of those to whom notice has been sent must be supplied by the applicant to the City at least 5 days prior to the first public hearing.
5. Cost of any notice required by this Section can be taxed to the applicant.
6. For any process that requires review and decision by both the Planning Commission and City Council, a joint public meeting or hearing may be held. If a joint meeting or hearing is held, then public notice needs only to be given by the City Council.

4.2 Written Notice

General Requirements

1. Where a written notice is required, written notice must be given by the Planning Commission, or the Administrator, at least 5 days before the hearing to the owner or occupant of each parcel involved in the application and to the owners or occupants of all abutting property and property immediately across the street or road from the subject property.
2. In the case of a condominium or a cooperative, written notice may be mailed to the unit owners' association or proprietary lessees' association in lieu of each individual unit owner.
3. Notice sent by registered or certified mail to the last known address of the property owners as shown on the current real estate tax assessment books or tax assessment records is deemed adequate compliance with the written notice requirement.
4. Notice sent by first class mail to the last known address of the property owner as shown on the current real estate tax assessment books or tax assessment records is deemed adequate compliance with the written notice requirement, provided that the Administrator makes an affidavit that the mailings have been made and files the affidavit with the papers in the application.
5. A party's actual notice of, or active participation in, the proceedings for which the written notice is required will waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this Code.
6. Nothing in this Section can be construed to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the Administrator or Planning Commission to give written notice to the owner of any parcel involved in the application.

Zoning Map Amendments with 25 Parcels or Less

1. In addition to the parties listed in general written notice requirements, written notice must also be given to properties that lie in other localities of the Commonwealth.
2. When a proposed amendment involves a tract of land 500 acres or more owned by the Commonwealth of Virginia or the federal government, and the proposed change only affects a portion of the larger tract, notice can only be given to the owners of the property adjacent to the affected area of the larger tract.

Zoning Map Amendments with More Than 25 Parcels

Written notice must be provided according to the general written notice requirements, except no written notice is required to owners of approved and recorded lots that are less than 11,500 square feet.

Other Processes

1. When a comprehensive plan adoption or amendment, zoning map amendment, or special use permit application involves a parcel of land located within a 1/2 mile boundary of an adjoining locality of the Commonwealth, then written notice must also be given by the Administrator, at least 10 days before the hearing to the chief administrative officer, or their designee.
2. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice must also be given by the Administrator, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.
3. When any applicant requests a written order, requirement, decision, or determination from the Administrator, and the applicant is not the owner of the subject property, written notice will be given to the owner of the property within 10 days of the receipt of such request. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or tax assessment records is deemed adequate compliance with this requirement.

4.3 Published Notice

General Requirements

1. Where a published notice is required, the Administrator must publish a notice of the public meeting or hearing in the newspaper of general circulation once a week for two successive weeks, with the first notice appearing no more than 14 days before the intended adoption. "Two successive weeks" means that the notice must be published at least twice in such newspaper, with not less than six days between the first and second publication.
2. The notice for the Planning Commission and City Council public meeting or hearing may be published concurrently.
3. The notice must specify the time and place of hearing at which a person may appear and present their views.
4. In any instance in which the City has submitted a correct and timely notice request to a newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, the City will be deemed to have met the notice requirements of the Code of Virginia § 15.2-2204 so long as the notice was published in the next available edition of a newspaper having general circulation. After enactment of any plan, ordinance or amendment, further publication is not required.

Zoning Map Amendments with 25 Parcels or Less

When a proposed amendment involves a change in the zoning map classification of 25 or fewer parcels of land, then in addition to the general published notice requirements, the advertisement must also include the street address or tax map parcel number of the each parcel involved in the application.

Zoning Text Amendments and Zoning Map Amendments with More Than 25 Parcels

When a proposed amendment involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the general published notice requirements, the advertisement must include the street address or tax map parcel number of the parcels as well as the approximate acreage

subject to the action. For more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes and a link to a map of the subject area.

4.4 Posted Notice

Where a posted notice is required, a sign must be posted on the property within 10 feet of the edge of the nearest street right-of-way. In the case of multiple parcels, sufficient signs must be posted to provide reasonable notice to interested persons. Signs must be posted at least 7 days prior to the date of the public meeting or hearing.

4.5 Website Notice

Where website notice is required, the application will be posted on a website accessible to the public.

5. Community Engagement Requirements

The City of Charlottesville strongly values the voice and perspective of its community. To that end, the following standards direct the use of public meetings to inform and receive feedback from community members on applications for development.

5.1 Rezoning, Special Use Permit, and Special Exception Requests

Applicants seeking rezonings and special use permits must hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. No application for a rezoning, special use permit, or any special exception will be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.

The applicant is responsible for the following, in connection to the community meeting required for a given project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.

2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.

3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting must be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant must be prepared to explain all of the details of the proposed development, and to answer questions from citizens.

4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.

5. On the date of the meeting, the applicant must make records of attendance and also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City can provide a format acceptable for use as the supplemental attendance sheet.

5.2 Site Plan Applications

Applicants beginning the site plan review process are strongly encouraged to conduct a community meeting. Where a project triggers the requirement to development a Transportation Demand Management (TDM) plan, a community meeting is required according to the standards outlined above.